



Ninety-Ninth Legislature - First Session - 2005  
**Introducer's Statement of Intent**  
**LB 301**

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**Chairperson:** Jim Jensen  
**Committee:** Health and Human Services  
**Date of Hearing:** January 20, 2005

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

NOTE: The following Statement of Intent was provided by the Nebraska Health and Human Services System. The bill represents the annual “cleanup” bill requested by the system.

LB 301 provides the following technical changes to health and human services:

Temporary licenses to practice veterinary medicine and surgery are eliminated. Temporary licenses were needed for veterinarians who graduated and were waiting for their exam results. Currently, an exam by a national organization administers the exam before the graduation. These licenses are no longer necessary.

The definition of transuranic waste is changed to make it consistent with federal law, the Radiation Control Act. The new definition will be “waste material containing alpha-emitting radioactive elements having an atomic number greater than 92 in concentration greater than 100 nanocuries per gram.” The old definition is 10 nanocuries per gram.

Currently, HHS Finance and Support is re-engineering the electronic registration system, which will include the electronic filing of death data. At this time, death certificates require hand written signatures of the certifying physician, coroner, county attorney, and funeral director/embalmer. As an alternative, LB 301 provides electronic signatures for Nebraska death and fetal death certificate. This change will improve the efficiency and effectiveness of administering death and fetal death certificates. Further, a more timely certificate can be produced. Fraud is reduced and state resources can be saved.

This bill eliminates certain unnecessary statutory reports in the areas of Managed Care, EMS, Medicaid eligibility, public health, public assistance and change System Advocate report for the following reasons:

- The managed care report is eliminated because managed care no longer represents a new approach to health care delivery.
- The EMS (Emergency Medical Services) report is eliminated because the Department of Regulation and Licensure is authorized by the ULL to periodically review all its statutes pertaining to the credentialing of people and update the statutes accordingly.

- The Medicaid eligibility report is eliminated because better reports are already being produced and recent legislative changes have made the data ambiguous.
- Public health reports relating to E-Code, Parkinson's Disease Registry and Head and Spinal Cord Injury are eliminated. Since the Parkinson's Disease Registry no longer exists, there is no need for a report. Head and spinal cord injury data is only one piece of trauma information. A comprehensive trauma registry report is being developed that will include this information. E-Code information is already included in a biennial comprehensive report of hospital discharge data (Databook).
- Public Assistance reports on County General Assistance Work Programs and Sanctioned Adults are eliminated. These reports originated from Welfare Reform. The information is no longer useful.
- The System Advocate Report is changed from quarterly to annually.

Current Nebraska case law provides that a state statute may incorporate by reference a federal statute but only as to a date prior to or when state statute became effective and not all future changes. The State Medicaid statutes need updating so any federal changes that have been made are incorporated by reference.

Current law that provides food stamp eligibility for individuals with drug-related felony convictions could be interpreted to allow new food stamp recipients. This bill further clarifies the intent of this current law. Specifically, language is provided that any drug felons convicted for sale or distribution or the intent to sell or distribute are not eligible for food stamps.

The statute on informed consent for predictive genetic testing is changed to exempt physicians from having to obtain consent for newborn screening test required to comply with the law of the state in which the infant was born. This change will prevent the unnecessary burden of physicians to create additional consent forms for non-resident newborns.

In order to organize all public health offices into one agency, the responsibility of the Office of Rural Health, Office of Women's Health and Tobacco Prevention Cash Fund is transferred from the Department of Health and Human Services to the Department of Health and Human Services Regulation and Licensure.

Due to expenses related to two new advisory committees, program site visits, the Homeland Management Information System and the annual conference on homelessness, the funds for administrative costs of the Homeless Shelter Assistance Trust Fund Act are increased from \$50,000 to \$75,000.

**Principal Introducer:**

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**Jim Jensen, Chairperson  
Committee on Health and Human Services**